

SEYFARTH SHAW LLP

Ashley Nicole Arnett (SBN 305162)
601 South Figueroa Street Suite 3300
Los Angeles, CA 90017
Telephone: (213) 270-9600
Facsimile: (213) 270-9601
E-mail: aarnett@seyfarth.com

Attorneys for Defendant
G6 HOSPITALITY PROPERTY LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAMUEL LOVE,

Plaintiff,

v.

G6 HOSPITALITY PROPERTY LLC, a Delaware
Limited Liability Company and DOES 1-10,

Defendant.

Case No. 3:21-cv-00996-EMC

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Complaint Filed: January 21, 2021

IT IS HEREBY STIPULATED, by and between Plaintiff Samuel Love (“Plaintiff”) and Defendant G6 Hospitality Property LLC (“Defendant”) (Plaintiff and Defendant collectively, the “Parties”) through their respective undersigned counsel, as follows:

WHEREAS, on April 28, 2021 the Court stayed this matter pending the outcome of three related appeals: (1) *Love v. Marriott Hotel Services, Inc.*, No. 21-15458 (“*MHSF*”), (2) *Arroyo v. JWMFE Anaheim, LLC*, No. 21-55237 (“*JWMFE*”), and (3) *Garcia v. Gateway Hotel L.P.*, No 21-55227 (“*Gateway*”). Since the Court’s April 28, 2021 Order, two additional cases addressing the same legal issue that is present in this case and the Appeals, were also appealed to the Court of Appeals for the Ninth Circuit: (4) *Garcia v. E.L. Heritage Inn of Sacramento, LLC*, No. 21-15674 (“*E.L. Heritage*”) and (5) *Garcia v. Apple Seven Services SPE San Diego*, No. 21-55863 (“*Apple Seven*”) (collectively, the “Appeals”);

WHEREAS, *MHSI* is still pending before the Court of Appeals for the Ninth Circuit. Appellant’s opening brief was filed on June 15, 2021. Appellee’s answering brief was filed on September 10, 2021. An oral argument was held on February 14, 2022 at 9:00 a.m. in San Francisco and is still pending. *JWMFE* was voluntarily dismissed by appellant pursuant to FRAP 42(b) on June 14, 2021. *Gateway* is still pending before the Court of Appeals for the Ninth Circuit. Appellant’s opening brief was filed on June 8, 2021. Appellee’s answering brief was filed on August 23, 2021. *E.L. Heritage* is still pending before the Court of Appeals for the Ninth Circuit. Appellant’s opening brief was filed on August 20, 2021, and Appellee’s answering brief was filed on October 25, 2021. Appellant’s optional reply brief was filed on December 27, 2021. An oral argument was held on February 14, 2022 at 9:00 a.m. in San Francisco and is still pending. A motion to take judicial notice of the current pages of the appellee’s website was filed on February 23, 2022. *Apple Seven* is still pending before the Court of Appeals for the Ninth Circuit. Appellant’s opening brief was filed on November 15, 2021, and Appellee’s answering brief was filed on January 18, 2022.

WHEREAS, an initial case management conference is currently scheduled for April 26, 2022;

NOW, THEREFORE, FOR GOOD CAUSE, IT IS HEREBY STIPULATED AND AGREED by the Parties, through their respective undersigned counsel, that:

1 1. Based on judicial economy and for the convenience of the Court, that the Case
2 Management Conference currently scheduled for April 26, 2022 is continued.

3 2. The Parties shall submit a joint status report within fourteen (14) days after the opinion in
4 the last of the five cases cited herein is issued, which informs the Court how the Parties intend to
5 proceed with this case in light of the rulings in the Appeals.

6
7 All other signatories listed, and on whose behalf the filing is submitted, concur in the filing's
8 content and have authorized the filing.

9
10 DATED: April 5, 2022

SEYFARTH SHAW LLP

11 By /s/ Ashley N. Arnett
12 Ashley N. Arnett
13 Attorneys for Defendant

14 DATED: April 5, 2022

CENTERS FOR DISABILITY ACCESS

15 By /s/ Ariel Vento
16 Dennis Price
17 Ariel Vento
18 Attorneys for Plaintiff
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